

EXHIBIT 5

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**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH**

KATE GRANT and KARMANN KASTEN,
LLC,

Plaintiffs,

vs.

KEVIN LONG; MILLCREEK
COMMERCIAL PROPERTIES, LLC;
COLLIERS INTERNATIONAL; BRENT
SMITH; SPENCER TAYLOR; BLAKE
MCDOUGAL; and MARY STREET,

Defendants.

**PLAINTIFFS' RESPONSES TO MARY
STREET'S REQUEST FOR
ADMISSION, INTERROGATORIES,
AND REQUESTS FOR PRODUCTION
OF DOCUMENTS**

Civil No. 2:23-cv-00936-AMA-CMR

District Judge Ann Marie McIff Allen

Magistrate Judge Cecilia M. Romero

Pursuant to Fed. R. Civ. P. 26, 33, 34, and 36, plaintiffs respond to defendant Mary Street's Request for Admission, Interrogatories, and Requests for Production of Documents:

RESPONSE TO REQUEST FOR ADMISSION

REQUEST NO. 1: Admit that Mary Street did not make any representations of material fact to Plaintiffs regarding the Naperville, Illinois Tenant in Common ("Naperville TIC") interest purchased by Kate Grant through her LLC Karmen Kasten, LLC, before the purchase was closed.

RESPONSE: Admit. Plaintiffs admit that Mary Street was not directly involved in the initial marketing of the Naperville TIC. Plaintiffs admit that the earliest communication between Mary Street and Plaintiffs is dated March 17, 2021, and marked as Bates nos. DEF 001658 – DEF

001659.

ANSWERS TO INTERROGATORIES

INTERROGATORY NO. 1: If Plaintiffs denied Request for Admission 1, state every representation of material fact that Mary Street made to Plaintiffs regarding the Naperville TIC interest before the Plaintiffs' purchase of the Naperville TIC interest was closed.

ANSWER: See Plaintiffs' response to Request for Admission No. 1.

INTERROGATORY NO. 2: State the date Plaintiffs first had any communication, verbal or written, with Mary Street.

ANSWER: See Plaintiffs' response to Request for Admission No. 1.

INTERROGATORY NO. 3: Identify the name, address and telephone number of each person who communicated material facts regarding the Naperville TIC interest to Plaintiffs before Plaintiffs' purchase of their Naperville TIC interest closed and summarize the substance of each communication.

ANSWER: Plaintiffs object to this interrogatory because it is overbroad and has already been answered in Plaintiffs' initial disclosures and supplemental disclosures. This interrogatory has also already been answered in Plaintiffs' responses to Defendants Millcreek Commercial and Kevin Long's first set of discovery requests. Notwithstanding the objection, Plaintiffs reincorporate the allegations brought in the Amended Complaint and any information contained in Plaintiffs' initial disclosures, supplemental disclosures, and responses to other defendants' discovery requests.

RESPONSES TO REQUEST FOR PRODUCTION OF DOCUMENTS

REQUEST NO. 1: If Plaintiffs denied Request for Admission 1, produce documents showing any representations of material fact made by Mary Street to Plaintiffs regarding the Naperville TIC interest before Plaintiffs' purchase of the Naperville TIC interest closed.

RESPONSE: See Plaintiffs' response to Request for Admission No. 1.

REQUEST NO. 2: Produce any documents which show the communications Plaintiffs summarized in Answer to Interrogatory 3.

RESPONSE: All responsive documents have been previously produced in Plaintiffs' initial disclosures, supplemental disclosures, and responses to other defendants' discovery requests.

DATED this 11th day of December, 2024.

CHRISTIENSEN LAW, PLLC

By: /s/ Stephen K. Christiansen
Stephen K. Christiansen
Randall S. Everett
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CERTIFICATE OF SERVICE

I hereby certify that on this 11th day of December, 2024, I caused a true and correct copy of the within and preceding document to be served via email on the following.

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